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# BEHIND CLOSED GATES: EVERYDAY POLICING IN DURBAN, SOUTH AFRICA

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## ABSTRACT

Studies of everyday policing in predominantly white areas in South Africa often focus on the spectacle of secured architecture and private policing services, concluding that the growth of the private security industry has created atomised units of residence that are alienated from the state. Such conclusions are important but incomplete: they do not look sufficiently behind closed gates to explore how private security is justified, utilised, supplemented, or avoided in daily life. In this article, I explore the everyday policing of theft and robbery in a predominantly white policing sector in Durban. I demonstrate that people have not simply transferred their dependence or allegiance from public to private policing. Instead, their approach to everyday policing straddles these two spheres, perpetually disrupts any simple dichotomy between them, and illustrates how all forms of policing are entangled in the wider inequalities and insecurities of post-apartheid South Africa. In making this argument, I highlight how residents remain reliant on the bureaucratic authority of the state police, distrustful of their employees who supposedly protect them, and appear far more willing to take matters into their own hands than many residents admit or imagine.

## INTRODUCTION

Policing in South Africa is not now, nor has it ever been, the sole preserve of the state police (Gordon 2006). Whilst non-state actors who perform policing may not be authorized to do so by the state, their actions are not necessarily considered illegitimate by the country's citizens. In this sense, the 'monopoly of legitimate physical coercion' that Max Weber (1998) believed to be the defining character of a state, does not exist. South Africa is, of course, not unique in this regard: the monopoly of legitimate force is 'always an unattainable ideal' and one that is 'particularly tenuous in many post-colonial societies' (Hansen and Stepputat 2006:297). State sovereignty may be undergoing erosion in new or different ways (Appadurai 1996; Goldstein 2008) but complete state sovereignty was always a figment of the political imagination (Loader and Walker 2004:224). Consequently, we must map everyday policing (Buur and Jensen 2004), not assuming that the state plays a central role in its delivery or regulation (Shearing and Wood 2003). The

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emerging analytical picture can tell us much about citizens' relationships with each other and with state institutions.

In post-apartheid South Africa the field of policing is crowded and complex. The practice and legitimization of everyday policing has variously retained, reified and ruptured the constructed borders between public and private, state and citizen, legal and illegal (Buur and Jensen 2004:143). Studies of law and social order in formerly black, Indian, and coloured townships of post-apartheid South Africa have tried to capture the breadth and complexity of everyday policing (for example, Buur 2006, 2008; Fourchard 2011; Jensen 2008a; 2008b; Minaar 2001; Oomen 2004). In predominantly white areas, however, few studies have looked beyond private policing and securitized architecture,<sup>i</sup> creating the impression that affluent white citizens are engaged in a homogenous and complete retreat from the state into atomised households or elite estates, which systematically (and often violently) exclude criminal 'Others'. This conclusion provides us with important but incomplete insights.

To gain a more holistic impression of everyday policing in a predominantly white suburb, this article focuses more broadly on the everyday policing of robbery and theft. Of all the subgroups of crime, this is one of the most talked about and most feared in South Africa (Plessis and Louw 2005), providing a relevant and accessible focal point for analysis. My fieldwork was conducted between May and September 2010, July and October 2011, and May and June 2013 in several policing sectors (sub-sections of the area for which a police station is responsible) across Durban. To protect interviewees who wished to remain anonymous, I use pseudonyms throughout and refer to the police sectors I study by the name of the police station under whose authority they lie. This is important to note, as the area referred to as 'the Berea' in Durban is far broader and more diverse than the single policing sector studied here. My analysis draws on 47 interviews from a non-probabilistic sample and fieldwork notes made in the five months spent living there. Although I interviewed white, Indian and black residents in the area, I focus here on white residents who still constitute the majority of the sector's residents. I also utilize material (around 100 additional interviews) from other research sites where appropriate.

My analysis begins by exploring residents' fear of crime, in a context where such fears are no longer an unproblematic metaphor for racial fear and prejudice (*contra* Judd 1994). Next, I turn to the narrative of Berea residents Geoff and Rachel, whose fears of crime were realized. I use their example to make four arguments. Firstly, the private industry surrounding crime has main-

tained residents' contact with the state, but this contact has not necessarily strengthened state-citizen relations. Secondly, the same 'standardized nightmare' (Wilson 1951) about crime that drove residents to increase their private security, fuelled a distrust of the employees on whom they were meant to rely. Similar fears were also evoked by other domestic workers, shaping everyday policing in Berea. Thirdly, the 'informal collectivization' of private security complicates any ideas we have of privatized atomization in Berea. Finally, despite low participation in structured forums, direct action against crime was present in the Berea.

### FEAR IN THE SUBURBS

The policing sector I studied lay immediately north-west of Durban's city centre – a bustling hub of formal and informal trade that residents tended to avoid in favour of the growing range of malls constructed to serve Durban's elite, many of whom were moving north along the coastline into exclusive, secured spaces.

The neighbourhood explored below remained one of the more elite areas around the original central business district. Those I spoke with in the Berea were white, middle-to-upper class residents who lived in homes ranging from flats in affordable blocks for young professionals to sprawling old houses replete with pools and smaller outhouses where live-in domestic workers used to (and sometimes still did) live. The sector's more affluent residents could have afforded homes in elite gated estates like Mount Edgecombe (Durrington 2009), but were drawn by the sector's schools; its lively streets with restaurants, cafes and galleries; and its proximity to the beach. In their minds, Mount Edgecombe was elite, but isolated. In contrast, they felt more engaged in the world around them and yet still firmly within the elite suburbs of the city. Thus when Simon, a resident in his forties, spoke of being 'part of the world', the 'world' he spoke of was, he clarified, 'the suburbs'.

The areas surrounding this policing sector have seen substantial racial desegregation since 1994 and become accessible to lower socio-economic groups. This sector, however, had seen less change but there had still been notable shifts in the race and class of the area's residents. Immediately after the transition, several people recalled a 'firesale' of houses, as residents moved north up the coast out of the city, or out of the country (James interview June 2010; Robert interview July 2010; Barry interview July 2011). This gave many younger residents I interviewed the

opportunity to acquire substantial properties. It had also provided Indian and black residents of all ages with a chance to buy property in this previously white suburb. Explicit discussions of racial shifts were, however, rare. In fact, any direct discussion of race amongst white residents in Berea was limited, particularly in interviews.

It is not just white South Africans who avoided talk of race and racism during interview (Erasmus 2003). However, given the 'racial structure' of apartheid South Africa (Bonilla-Silva 2009:9), white residents were unsettled by direct discussions of race that implicated them in questions of privilege or prejudice (Durrheim et al 2011). Their avoidance and suppression implicitly recognised that whilst race is neither an immutable nor a monolithic category of identification, it remained intimately entangled with everyday life in undeniable, uncomfortable but ambiguous ways (Steyn 2001; Blaser 2009). Consequently, residents generally spoke in opaque, pejorative terms of demographic change 'creeping' towards the borders of their neighbourhood (Barry interview July 2011). It was in everyday conversations, as opposed to interviews, that more explicit opinions and anxieties emerged, hovering at the intersection of class and race.

Despite ongoing references to 'creeping change', the housing 'firesale' had dissipated in recent years as, it seemed, had these residents' fear of crime. Many spoke of a time, after President Thabo Mbeki had 'denied' the problem of crime in 2004, when they felt their fear of it had peaked. A significant number of people's friends and family had emigrated during Mbeki's presidency and talk at braais (barbeques), at the school gate, and over the dinner table was reportedly dominated by discussions of crime. More recently, however, residents claimed that this talk had declined, as people had acclimatized to life in post-apartheid South Africa. 'Every conversation you used to have in this country was about crime' explained James, a male resident in his forties, '[but] this is one of the first conversations I have had about crime - and it is such a relief - in a long time'.

However, the fear of crime and a preoccupation with avoiding crime had not disappeared. On the one hand, it had become normalised in practices of everyday life and on the other, it had been actively repressed. Authors have highlighted how crime is a politically correct way to talk about racialised fears and apartheid nostalgia (e.g. Judd 1994). However, the degree to which 'crime

talk' (Sasson 1995) could act as a shield for such sentiments has arguably waned since Mbeki and others dismissed those afraid of crime as 'reactionaries' and 'racist'. Crime had remained *less* taboo than outright apartheid nostalgia (Hansen 2012) but there was a sense amongst these white residents that to 'obsess' (James interview June 2010; July 2013) about crime was to resist fully integrating oneself into post-apartheid South Africa. Many denied the hold that such fears had over them, and yet their words and deeds showed how such fears had become part of their daily lives. As Sophie, a resident in her twenties, explained:

I think it is something that you just live with as opposed to being acutely aware of it. I think it is just always there... you just always carry on as if it is just about to happen to you at any point. Your house is always secure, your car is always locked...

What people's fears fixed on, primarily, was a criminal archetype that was young, poor, black, male, and violent. Two white residents I interviewed had been victims of robbery,<sup>2</sup> having been held at gunpoint by black males, but not injured. The remainder had been subject to petty theft or house break-ins in their absence and did not know, with any certainty, who had committed the crime. Everyone, however, believed that they were potential victims of violent crime and shared similar criminal archetypes, recounting incidents amongst friends or in the local press as evidence. The 'objectivity' of such fears is difficult to measure and, in many contexts, not the most important analytical issue at stake (Douglas 1983). Nonetheless, we can tentatively gauge the relative level of crime that Berea residents faced by exploring the differences in *recorded crime* between there and KwaMashu, a comparatively deprived former black township.<sup>3</sup> In 2011, there were 6 recorded murders and 73 recorded acts of common robbery compared to 78 recorded murders and 112 acts of common robbery in KwaMashu.<sup>4</sup> In other words, the threat of violent crime was notable but, nationally speaking, comparatively low: Statistics only partly explain why residents like Ben, a middle-aged interviewee, stated, 'I think we are just brought up with this looking over your shoulder type of attitude'.

White residents in Berea were, to borrow from Vincent Crapanzano's (1986:45) analysis, 'waiting'. Focusing on Wyndal in the northern Cape in the 1980s, Crapanzano studied white residents

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<sup>2</sup> This figure is intended to contextualise my findings, not suggest that this number represents any parameter in the wider population.

<sup>3</sup> On crime statistics and their limitations, see Altbeker (2007).

<sup>4</sup> <http://www.crimestatssa.com/>, accessed on 31<sup>st</sup> October 2014.

who were in privileged positions of power and ‘paradoxically, in their privilege, victims of it’ (Crapanzano 1986: xiii). These individuals, he claimed, could not conceive of an alternative ordering of society to that of apartheid but knew that the current order of society could not last. Thus, Crapanzano argued, they were found ‘waiting’ – a state ‘marked by contingency—the perhaps—and all the anxiety that comes with the experience of contingency’ (Ibid.).

Clearly, too much has changed since Crapanzano’s study to apply his findings, in all their complexity, to this case. However, in his article on gated estates in Durban, Matthew Durlington (2009) asked whether these affluent residents in post-apartheid South Africa were also ‘waiting’ and, if so, waiting for what. Ultimately, he left the question open. In Berea, the concept of ‘waiting’ is useful for highlighting how elite, white South Africans, whilst presenting themselves as ‘part of the world’, realized (at some level) the incongruence of their livelihoods with current rates of unemployment and economic deprivation in the historical context of apartheid. For residents, violent crime posed the most immediate threat to this life but fears of broader social, economic and political change also exacerbated the ‘ontological insecurity’ (Giddens 1991) at the heart of ‘waiting’ (Ballard 2005; Lemanski 2004).

One of the most obvious manifestations of ‘waiting’ was that residents became hyper-vigilant, scanning the streets for would-be attackers. In keeping with the discussions on race above, many implied rather than described the characteristics of ‘suspicious’ characters in their area. Alistair, for example, was a resident in his forties, who claimed that he could spot suspicious characters because he knew his neighbours: ‘You will know who is not meant to be in the area before he does something... All of a sudden there is someone hanging around and you will know, “hang on that is not a maid or a worker”, you will say “guys let’s investigate”’ (Alistair interview June 2010). Alistair’s initial reference point was his neighbours (who were predominantly Indian or white and relatively affluent) but his concerns rested on those who looked like ‘maids and workers’ - that is to say, those who were predominantly black and relatively poor – but not employed on the street. These figures, he concluded, were ‘not meant to be in the area’: having no obvious connections to residents in the neighbourhood they were assumed to have malevolent intentions. They were ‘matter out of place’ and, therefore, dangerous (Douglas 1960).

Within white residents' imaginaries of crime, such figures were ever-present in the suburbs, looking for the chance to commit an opportunistic crime or monitoring people's homes to ascertain their daily routines and plan crimes around them. As Rebecca, a resident in her sixties, argued: 'They watch your moves, they know exactly when you go out, which house has nobody in attendance during the day... They sit. And, if there is that facility where they can just sit and watch innocently, that is where they will hit'. The criminal gaze Rebecca and other white Berea residents described was all encompassing. Like prisoners in Jeremy Bentham's panopticon, who were rendered visible to guards that they could not themselves see, residents felt they 'must assume ubiquitous surveillance [and] that they may be under inspection at any time, day or night' (Elmer 2012:23). However, whereas Bentham's watch guards were always invisible, suspicious characters were deemed to be both a visible and invisible presence. Understanding residents' fears, and how these were entangled in their broader sense of being and belonging in post-apartheid South Africa, provides us with a foundation from which to explore the everyday policing strategies that emerged when residents became victims of crime.

#### A CONVERSATION WITH GEOFF AND RACHEL<sup>ii</sup>

Geoff and Rachel are middle-aged white South Africans who live in a detached house on a relatively quiet road in Berea. As is the case for most residents in the area, Geoff and Rachel's house is protected with a gate, fence, and armed security response and they also have household insurance for their possessions.

In December 2010, family members visited Geoff and Rachel to celebrate Christmas. One morning, whilst the family was sleeping, two men broke into the house and began stealing their possessions. When the thieves disturbed Rachel, she woke Geoff. Realizing that the occupants were awake, one man jumped over the back fence, whilst the other hid under the dining room table. As Geoff recounts, 'I accosted him with a chair... Basically we arrested him... He did put up a fight but at that point he was under the table and I laid into him with a chair... There was blood all around the place'.

Having placed the thief under citizens' arrest, Geoff phoned his security company. Hearing screams from the house, his neighbours shouted to the family, offering their help. Geoff instructed them to stay at home and call their security company. Acceding to his request, the neighbours phoned both their private security company and the police. It was their private security firm that



responded first, followed by the police, while Geoff and Rachel's private security company went to the wrong address.

Entering the property, their neighbours' private security guards took over from Geoff - who was, by that point, pinning the intruder under the table with a chair - and handcuffed the suspect. Before the police arrived to relieve the private security guards, Rachel recalled that the suspect 'proceeded to tell us that ten rand of the money in his wallet was his, and that that was his cell phone so we duly gave him back his ten rand and his cell phone. One has to be extremely careful to remain exactly on the right side of the law'.

Whilst Geoff and Rachel both recalled that the police responded relatively promptly, they were frustrated with their apparent inability to write a statement. '[I] can accept that... the police are not going to be as effective as I would like to protect me, so I pay the security company', Geoff argued, 'But when I do need the police to be involved, I need them to be competent to take the statement... And the person cannot take dictation.'

After recounting his story to me, Geoff reflected, 'Although... I do not see myself as a vigilante, I did attack and arrest this guy who was in my house'. In that way, he claimed he was similar to other neighbours who had been victims of crime. Nonetheless, Geoff argued that people rarely used violence against criminals in Berea because the constitution 'protect[ed] victims and perpetrators... you daren't take the law into your own hands because you are going to end up in Westville prison'<sup>iii</sup>.

In this instance, the police already had their suspect for the attempted robbery. Nonetheless, Geoff and Rachel reported that there were difficulties securing a prosecution. The docket that included the suspect's past crimes was lost (mistakenly or otherwise) and so, whilst he should have been sentenced to five years, two years of his sentence were suspended. Geoff and Rachel believed a conviction had been secured not because of the police but in spite of them. Thus, several months later, when a guest staying at their house had his mobile phone stolen from a jacket in their back room, the couple encouraged him to report the case in order to obtain a case number for his insurance claim. As Geoff explained: 'it was just really reported for the purpose of insurance. I think there is really no expectation [when] something is stolen that the police will actually recover it'.

Following the robbery, Geoff and Rachel changed their security provider. They also attended a meeting of their local Community Police Forum (CPF), having heard of its existence through a flier. These forums are interfaces between the police and local residents (the Berea CPF is discussed in more detail below). Whilst Geoff and Rachel found some of the information gleaned at the meeting interesting, it was not useful enough to make them regular attendees. They also resisted the CPF's attempts to 'educate' citizens on crime avoidance:

Rachel: What has really been getting up my nose is that the general population has been [told], you must be more aware, you must take care, *you* must do this...*you* must do that, and when a crime occurs, basically the police are not terribly proactive. And I mean we do pay our taxes...

#### 'I WENT THROUGH THE MOTIONS': PROCEDURAL ENGAGEMENT WITH THE POLICE

Geoff had low expectations of the police that were only confirmed by his interaction with them. As noted above, he believed his intruder's conviction was secured *despite* the actions the police took. Research by the Law Commission confirms that his case was highly unusual in securing any conviction. In their longitudinal study following cases committed in 1998, only 3.57% of robberies with aggravated circumstances committed in Durban ended in a conviction; 88.37% never made it to court (SALC 2000:29).<sup>iv</sup>

Geoff's criticisms focused on the bureaucratic behavior of the police: he had sought to engage the SAPS in their administrative capacity, not their protective or investigative capacity. He believed the police were useful for opening cases, writing statements, issuing case numbers, and passing dockets to the courts. In one sense, this is a remnant function; the bureaucratic remainder of a wider, more active role for the police. However, record keeping is also a key 'language of stateness' in and of itself (Hansen and Stepputat 2001:21), as the country's obsession with crime statistics demonstrates (see Comaroff and Comaroff 2006). Whilst the state provided services from refuse removal to road maintenance that made Geoff's daily life possible, he felt that his most tangible, personal engagement with the state was driven by his need to access the definitive, official record of events, which the state still held. 'Most often one's interaction with the state is administrative', he reflected, '...we get our driver's license, we get our passport. That is when it feels like you are engaging with the state' (Geoff interview June 2013). Ultimately, for Geoff, the police had failed to behave in a state-like fashion because they were administratively

incompetent. He might have avoided the police entirely at this point had he not needed their case number for his insurance claims, to validate his claims to victimization (Cooper-Knock and Owen 2014).

Many residents I spoke with echoed Geoff's experience. In the words of Lawrence, a middle-aged Berea resident, they 'went through the motions' of reporting to the police purely to access their household insurance: they had 'no expectation' of seeing a successful investigation and conviction (Lawrence interview July 2010). This drives us to look more closely at the diverse ways that the expanding private industry around crime affects connections between citizens and the state. Certainly, the rise of private security *per se* and the growth of gated estates with their own internal, privatized governance has loosened the bonds between privately ensconced citizens and the state (Ballard 2004; Durrington 2006, 2009; Hook and Vrdoljak 2002). However, those who had private insurance were locked into contact with the state even as they retreated from it: they were forced to 'go through the motions' of being a citizen.

In this policing sector, though, contact between residents and the police was fraught with ambiguities: were the police sometimes unable to perform their duties due to a lack of human and physical resources? Or were they unwilling to do so due to laziness, corruption or racialised resentment? It was rare for residents to definitively know what drove police success or failure in any one instance. The rationalizations they made, however, indicate how they 'read' the police as an institution, and the state more generally. Geoff and Rachel believed that police incompetence was tied to poor education and high levels of corruption. Such critiques often made implicit and explicit reference to the class differences between these affluent citizens and local police officers. Others, however, emphasized the importance of race in shaping poor performance: black police, they argued, would seek to protect black suspects, 'go slow' when serving non-black complainants, and demand bribes from, or prosecute, non-black citizens where possible.<sup>v</sup> For several Berea residents, this apparent racialization of state services was understood as retribution for apartheid (See also Burger Allen 2003). Lorna, for example, was a resident in her fifties who had been brought up in the area and considered herself to be politically liberal. Like Lawrence and Geoff, Lorna reported crimes to the police for insurance purposes only. She argued:

I have witnessed friends of mine [having] interactions with the police force and I promise you, they treat us like shit... it is a retaliation...And I think it is still the anger and the heritage of, 'Where is your *dompas*?<sup>vi</sup> 'Get off the street'... Anything [they can do] they are going to do. Of course they are. It is a retaliation. (Lorna interview July 2010)

Thus, residents' need to gain a case number for their insurance may have cemented the police's bureaucratic authority and secured their on-going contact with the state. However, as Allport's (1954) 'contact hypothesis' highlights, contact itself can either exacerbate or allay prejudice and tension: what matters is the context in which this contact takes place. For residents in Berea, contact with the police often reinforced their sense of frustration with, or alienation from, them (Loader 2006).

### EMPLOYEES IN BEREA: BETWEEN PREDATOR AND PROTECTOR

Like Geoff and Rachel, most residents I spoke with in Berea lived in 'fortified cells' (Davies 1992:156), surrounded by defensive architecture. Many also employed an armed security response service or a permanently stationed guard. Residential private security in South Africa has its roots in the late 1970s and early 1980s, when commercial provision was encouraged by an increasingly beleaguered apartheid state (Shearing and Stenning 1981:501, Baker 2002).<sup>vii</sup> However, it was after apartheid that the industry mushroomed (Schonteich 1999:xx). In recent years, this rapid expansion has continued: security businesses increased by 18.35% between 2010 and 2011, and registered security officers increased by 5.13% in the same period (PSIRA 2011). Berea residents argued that a fear of crime drove their substantial investment in private security. However, as argued above, crime is a 'polyvalent' category (Buur 2003) and contained within this stated fear were broader feelings of exposure, danger and dislocation that had accompanied South Africa's new dispensation (Ballard 2004; Lemanski 2006:746).<sup>viii</sup>

Although the different constellations of private security employed in this sector had varying effects on those living in and around them (Durrington 2009) they all functioned on the basis of exclusion. Where these private security measures spilled into public spaces, those who fitted South Africa's dominant criminal archetype (i.e., young, poor, black, and male) found their constitutional right to freedom of movement downgraded to a negotiated privilege. Guards described how they prevented anyone without a 'purpose' or 'reason' from entering or remaining in a patrolled area (Sifiso interview May 2013; Fieldwork Notes: July 2011). In practice, this amounted to the exclusion of all those who lacked pre-existing ties of sociality or service to local residents: 'Purpose' and 'reason' were ultimately not self-defined terms. Where people were suspected of a

crime, or resisted removal, their right to ‘security of the body’ also became negotiable (Sifiso interview May 2013; Ronald interview June 2013, see also Holston 2008). A comprehensive literature has documented this erosion of substantive citizenship (e.g., Berg 2010, Samara 2005). Here, I pursue a different analytical track by analyzing employer-employee tensions, and their consequences for everyday policing. Starting with private security guards then moving to domestic workers I argue that, framed by race and class, employers saw their employees as potential objects and agents of policing.

Private security guards occupied a paradoxical space in the imaginations of Berea residents. On the one hand, private security was everything that the police were not: a spectacle of elite, technological professionalism.<sup>ix</sup> As David, a middle-aged entrepreneur, stated, they ‘looked the part’ (David interview June 2011). On the other hand, the groundwork of private security was usually performed by unskilled, low-paid labour. The demographic profile of private security guards differentiated them from their employers and overlapped (in whole or part) with the criminal archetype they were employed to dispel. For many white residents in Berea, this difference produced a fear that hovered at the intersection of race and class, manufacturing distrust and complicating their reliance upon those they had employed (Burger Allen 2003; Disurweit 2007; Durrington 2009). Whilst residents paid for private security operators, some feared that their allegiances lay elsewhere. Highlighting the role of race in these fears, a manager from one of Durban’s main private security firms stated:

I suppose it is always at brass tacks level... [about] race... One of the realities of the crime in South Africa is that...black people are the criminals. But now you have got a black man that is also responding to you and is he [a criminal]?... Do you trust your security company? Do you trust the reaction officer? Now he is coming to my house but the guys who broke in, are they not his friends? Especially when they are speaking a different language. Are they talking about me? Are they talking to the maid? (Isaac interview June 2010)

Thus, private security was a terrain on which racial and class-based fears were iterated rather than escaped. The act of commercialization itself also exacerbated residents’ fears. Private security was seen as a ‘big business’ whose market relied upon the continuation of the very crime and insecurity it promised to fight, producing perverse incentives (Peter interview June 2010).

Consequently, suspicion and muttered accusations permeated exchanges with security personnel. Because any evidence linking private security guards to crimes was often circumstantial at best, these concerns were not taken to the police. Rather, residents either chose to continue this suspi-

cious reliance, making it one of many daily relationships they maintained that were quietly fraught with ‘race trouble’ (Durrheim *et al* 2011) and class-based anxiety, or they terminated their contract. Lorna, for example, chose the former route. During her fiftieth birthday celebrations, she had mistakenly triggered her burglar alarm, activating her armed response. The response guard, she claimed, had surveyed a roomful of open presents. When her house was robbed the following day, she held him responsible. The problem with security guards, she claimed, was systemic: ‘security companies would definitely be my question mark. Definitely. Definitely. I think that a lot of what happens is through the security companies’ (Lorna July 2010). Subsequently, Lorna maintained her contract with the same company but lessened her reliance on these employees. As she explained, ‘I never put [the alarm] on. I never put it on. My dogs are better than anything’ (Ibid).

Distrust was not the only reason, however, that private security could become little more than a facade. John, a resident in his sixties, had an armed response contract, ‘burglar guards’<sup>x</sup> on his windows and doors, and an electric fence, but never activated the alarm or the fence because he found them inconvenient (John interview August 2010). Instead, as I explore in more depth below, he preferred to try and negotiate with anyone who broke into his property. What Lorna and John’s cases both demonstrate is the importance of looking beyond a private security aesthetic to uncover the lived complexity of everyday policing choices. Residents in Berea, it seems, were capable of ‘going through the motions’ with both private and state providers of policing.

Private security companies were not the only employees that operated in and around the residences of Berea: most households also hired domestic workers. The latter were not primarily engaged to provide policing but they were drawn into everyday policing in two senses. Firstly, to an even greater degree than private security guards, domestic workers knew the intimate spaces of people’s homes. In the midst of their daily work routines and their personal lives, they were assumed to know of potential opportunities for crime and potential criminal threats. Consequently, residents believed that they could act as informers for their employers or for local criminals. As such, residents were keen to ‘recruit’ domestic workers to assist in everyday policing. This logic underlay the establishment of ‘Maid Watch’ by the local neighbourhood watch, who organized *ad hoc* meetings between themselves, local domestic workers and the police to ‘educate’ and ‘train’ these employees, on the understanding that, ‘when you go off to work [domestic workers] are there at your house. So they notice what happens in the day. They sit on the road.

To get their buy-in and support [is] to know what happens' (Peter interview June 2010).<sup>xi</sup> Conversely, the same logic also triggered suspicions that, when a house break in occurred, domestic workers had provided 'inside information' to the criminals in question although evidence supporting these accusations was circumstantial at most (Duncan interview July 2010).

The second sense in which domestic workers were drawn into everyday policing was as direct suspects of theft. Sometimes evidence was, again, circumstantial. However, some residents had proof that their employees had stolen from them on a small scale, taking things they 'knew we would not miss', from boxes of cereal to fur coats (John interview August 2010; Sally interview August 2011). Residents were often conflicted about policing this level of crime given the context of domestic work in South Africa. As Cock's (1980) study demonstrates, relationships between white residents and their domestic workers were amongst the most exploitative in apartheid. Since 1994, this form of employment has continued to be economically unrewarding and fraught with racial tensions that are rarely vocalized but often present (Durrheim et al 2011:182; Ally 2009).

This wider context complicated the framing and tackling of petty theft. Across Berea, residents debated the causes of the country's crime, which were variously understood in psychological, racial, and economic terms, being fed by the country's vast inequality. In such conversations, economic inequalities could be expressed in general, abstract terms, which lessened any sense of responsibility these affluent residents might feel for the current *status quo*. Residents were, however, completely responsible for setting the pay and conditions for their domestic workers, and petty theft within the home could be read as a reaction to the poor wages they offered. As Phumzile, a domestic worker, claimed, 'it is good to be satisfied with your salary, if you are not satisfied [you]... will think I will rather pay myself... I will come back later and take that [item from the house]' (Phumzile interview June 2013). Employers across the sectors I studied in Durban, of different races, acknowledged this connection between meager wages, poor working conditions and petty theft, arguing that 'people who have no intention to steal would steal if you are rude and disrespectful... and paid a pittance' (Shemi interview June 2013).

This framing made residents less likely to tackle petty theft directly. Sally, for example, was a resident in her thirties who had recently realized that her maid, Buhle, was taking food from her cupboards. Defending herself as an employer, she insisted that Buhle was paid reasonably sent home with 'ridiculous amounts [of food] each week'. Nonetheless, she accepted that Buhle's

wages were still insignificant in comparison to her income and expenditure, and accepted theft as a morally justifiable form of informal redistribution:

You are giving her 2000 Rand a month, which is less than what your car costs you in re-payments and she has to run her whole family on that. Of course she is going to take unwanted food out of the cupboard. (Sally interview August 2011)

In summary, in this section we have seen the ways in which the question of difference between employers and employees shaped everyday policing in Berea. This might make employees more or less likely to be relied upon for policing, and more or less likely to *be* policed, as the example of petty theft amongst domestic workers demonstrates. The broader conclusion emerging here is that a distrust of state policing does not equate to a trust in policing alternatives.

#### ‘THERE IS NO COMMUNITY SHARING’: THE INFORMAL COLLECTIVIZATION OF PRIVATE SECURITY

When Geoff and Rachel were in trouble their neighbours had called their own private security company to come to the scene. This could be termed an act of ‘informal collectivisation’.<sup>xii</sup> Although many residents I spoke with would agree with Peter, the local neighbourhood watch chairperson, that ‘there is no community sharing’ of security measures on the Berea, there had been several acts of informal collectivization both in this sector and elsewhere (Peter interview June 2010). In his study on policing in Africa, Bruce Baker (2002:31) argues that the terms ‘“public” and “private” get confused’ when public officials act outside the collective public interest’. Likewise, in Berea, the individuated logic of private security was blurred when it was made accessible to those outside the strictly contractual relationships involved.

There were various ways that private security could be collectivized that, in turn, required varying degrees of consent and proactivity from those paying for and delivering private services. At minimum, informal collectivization emerged as a classic free-rider problem. For example, following a brutal murder on their street, Sylvia had convinced a large proportion of residents to contribute to a 24-hour unarmed guard service. Whilst these guards physically responded to individual incidents, their key power, in Foucault’s words, was ‘based not on physical coercion but on a more subtle and pervasive form of coercion that draws its power from surveillance’ (in Berg 2010:289). Although physical reactions were alienable to contributors, this surveillance power



was not, creating quiet tensions between the ‘bad ‘uns’ who were free-loading and ‘good ‘uns’ who were not (Sylvia interview July 2010).

In many cases, however, informal collectivization was more complicated. Tom and Sarah, for example, lived at the tail-end of a T-junction in Berea. The road that intersected with theirs had hired a private security guard to watch the street. Tom and Sarah did not contribute to the service (approximately £110 per month) because their house was not visible from the guard hut. The couple had two young children and employed Cindy, a live-in maid, to help with child care and the upkeep of the house. Innocent, the private security guard who worked the day shift, often came to speak with Cindy in his breaks and during his patrols (Tom July 2011). One afternoon, when Innocent was looking for Cindy, he saw two men trying to lift Tom and Sarah’s security gate off its hinges. He approached their property to confront the men, phoning Cindy as he did so. She called Tom and their armed response firm. Realizing that they had been seen, the suspects escaped (Tom interview July 2011).

Nancy, who lived two doors down from Tom and Sarah contributed to Innocent’s wages. The two households were acquainted, largely because Nancy was civically active and worked to raise awareness about crime in the area, sending email alerts to them and other residents. When I spoke to Nancy, she was ambivalent about the incident. At one level, Tom was part of her social-civic network, so she was glad to help. Moreover, the incident had reduced crime in the area, which she determinedly supported. Ultimately, however, she was ‘really irritated’ by the informal collectivization of Innocent’s services. Paying for a private security guard was no small financial commitment for Nancy (Nancy interview July 2011). This, then, was a case of contested collectivization. Significantly, Nancy had not mediated between her neighbour and her private security provider: as Innocent was permanently posted on their road, he had formed his own social networks, which had shaped his actions in this instance. This contrasts with Geoff and Rachel’s case, where a subscriber played a gate-keeping role to private security services.

Thus, informal collectivization was a highly contingent act. It did not spring from any shared vision of alternative citizenship or avid communitarianism.<sup>xiii</sup> In this sense, we are seeing a fundamentally unstable act that was subject to contestation: whilst free-riding in its most passive sense was difficult to eliminate, anything involving more proactive responses had to be offered or negotiated between subscribers, contractors and would-be recipients. Informal collectivization was the product of friendship and favour, not obligation. But as such, these acts were revealing of the

social networks that operated in Berea and became entangled with the private provision of policing.

## ‘IT WOULD NOT HAPPEN IN THIS SECTOR’: PARTICIPATION IN POLICING ORGANISATIONS AND FORMATIONS

In their work on everyday policing, Buur and Jensen (2006) distinguish between participation in ‘policing organisations’ and participation in less structured, more ephemeral, ‘policing formations’. Participation in formations and organisations in predominantly white areas has received little academic attention and was often overlooked by residents themselves.<sup>5</sup> This was particularly true when participation involved the violence: ‘taking the law into your own hands’, many argued, was something that happened elsewhere. Implicitly and explicitly, this ‘elsewhere’ was the country’s black townships, which were still associated with the ‘mob violence’ and ‘kangaroo courts’ of apartheid (Buur 2009, Cooper-Knock 2014). In contrast, the white residents of Berea portrayed themselves as privileged, elitist and isolationist but not civically active, nor unlawful and violent. A typical portrayal of Berea was given by Carol, a self-employed resident in her forties who lived with her family in the sector:

Berea is your traditional white exclusive neighbourhood with a mentality from before 1994 that is we are owed something, we do not have to give anything back; we have to pay and there is nothing more that is required... People are not prepared to get their hands dirty. Everyone here has a gardener to do their garden, they have a maid to do their laundry... They are actually not prepared to attend a [CPF] meeting ... Then they will have an armed robbery [and]... emigrate [or] complain about the crime. (Carol interview June 2010)

Carol raises two insightful points here: first, many Berea residents could afford to buy their way out of civic responsibility and compensate privately for failures in state delivery. Second, hardly any residents regularly participated in the local CPF. However, this did not mean that policing was utterly outsourced, nor that residents lacked what might be termed a ‘civic reflex’.

There were two key policing organisations in Berea, which tried and failed to attract participation from residents. The first was a neighbourhood watch, which pre-dated the transition, and was somewhat sidelined by the advent of CPFs. Previously, its members had patrolled the area in

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<sup>5</sup> Although this may be changing, as the issue has received more substantive attention of late. See, for example, <http://www.zapiro.com/cartoon/2458704-141207st#.VltC1WSsU2I> accessed on 7<sup>th</sup> December 2014.

cars but now, as violent crime was perceived to have increased (along with the price of petrol), the patrols had ceased. Aside from issuing a quarterly newsletter for local residents, and running 'maid watch' sessions, the watch was largely inactive and had considered dissolution. Although local residents encouraged it to stay in operation, there was no increase in the watch's membership or activities and, as I left the field, its future seemed uncertain (Patricia interview July 2011; Peter interview August 2011).

The second body was the local CPF. As mentioned above, CPFs emerged in the transition from apartheid. They were initially envisaged as citizen-police interfaces at which security could be co-produced and police legitimacy restored (Brogden 2002; 2004; Dixon 2007; Gordon 2001; 2006). Policing approaches have since shifted towards state-centric models, but police stations remain legally obliged to establish and run these forums. Berea's CPF had a local reputation as a 'talk shop' or, in the words of one past executive member, 'a melting pot of nothingness' (Lola interview July 2011). Whilst the police representatives were amicable, they saw the forum as a space for receiving information, not direction, and for 'educating' residents. However, attendees had little useful information on crime: Usually, CPF attendance rose when a crime occurred (personally or locally) – it represented a reflex response to reach out to the state when the limitations of private security became apparent. However, like a reflex, this outreach was short-lived and CPF attendance dissipated as fast as citizens became disillusioned and resentful of 'responsibilisation' (Garland 2001) by the police, taking this as evidence of further state inaction.

Carol herself had been a CPF co-chair for almost a year, but had recently resigned when we spoke. Like many others, she had begun attending after falling victim to crime (in her case an armed house robbery). This crime had convinced her husband that they needed to move into the secured estate, Mount Edgecombe. Carol had joined the CPF to seek alternative strategies for everyday policing, so that her family might feel safe remaining in Berea. When her efforts to mobilize local residents and shape police performance failed, she resigned. The couple has since moved north to a secured golfing estate. Carol's story reminds us that whilst security estates can be spaces in which residents retreat from civic engagement (Durrington 2009), we cannot assume that these residents have been on a long or inevitable path towards such disengagement. Nor was the failure of structured activities in relatively affluent, predominantly white areas inevitable. In similar areas across Durban, I interviewed groups that actively patrolled on a regular basis, with scores of active members. In each of these cases, patrols operated in addition to, rather than in-

stead of, private security. The failure of these structures in Berea, then, is contingent on more than the variables of 'culture' or class.

Having explored policing organisations, let us turn to policing formations. A shared discourse existed on policing formations in Berea, which I will first explain and then critique. According to this public narrative, 'taking the law into your own hands' was something that happened elsewhere, namely in formerly black townships, which residents associated with the operation of the 'sovereign mob' (Buur 2008). As David argued, 'there is a different conditioning in this sector that would allow the law to take its course... the average man is going to kick a would-be thief... on the property whereas he would probably be kicked quite badly elsewhere' (David interview June 2011). This reticence emerged from residents' unwillingness to 'get their hands dirty' – as we heard above – and their fear of being on the 'wrong side' of a law. Residents believed that whilst the SAPS were failing to tackle crime, they would successfully prosecute those who broke the law to tackle it themselves. In a few cases, these beliefs were bolstered by personal experience.

Nancy, for example, was a middle-aged business owner in Berea. Driving home one afternoon, Nancy saw her private security guard - Innocent - being attacked by two men who had been trying to steal a car from the street. Having 'hooted' to attract her neighbours' attention she fled to her house to summon her armed response unit. When she returned, two male neighbours were 'helping the guard' by hitting the suspects with their golf clubs until he fled. When Nancy took Innocent to the station to open charges against the suspects she was told she had insufficient evidence against them. Instead, Nancy was 'horrified' to learn that her neighbours were themselves facing charges. 'The victim is the citizen... not the baddy', she concluded.

Undoubtedly, the SAPS did sometimes seek to prosecute vigilante citizens, and not all acts of policing by residents were violent, but the dominant discourse that Nancy's narrative supported did not reflect the complex and ambiguous reality of everyday policing in Berea. Other encounters suggested different possibilities. Graeme, for example, was a pastor at a local church. Like Ede, he witnessed a public display of violence against a criminal suspect. The outcome, however, was very different. On his way into work one morning, Graeme had stopped at the traffic lights behind another male driver and a woman on her bike. As the traffic lights changed, a young, black male knocked the woman from her bike and attempted to cycle away, with Graeme and the other driver giving chase. Ultimately, Graeme's car blocked the would-be thief's escape as the

other driver left his car, chased the suspect down, knocked him from the bike, and began to assault him. When a policeman arrived at the scene, he also gave the thief ‘a couple of slaps’. Graeme saw both responses as problematic but ‘understandable’ and did not believe either would face further repercussions (Fieldwork notes: July 2011). The discrepancy between Nancy and Graeme’s story reminds us of the inconsistent reactions of state actors to everyday policing. In interviews and informal conversations several local police officers appeared quietly frustrated with the limitations of legal violence. In the words of one relatively senior white police officer: ‘I would like to see more *sjamboks* (whips) used, but I cannot say that out loud’.

Graeme’s account mirrored the accounts of other interviewees, who reported assaulting suspects before the Police arrived, in front of the Police, or with the Police, without legal consequence. So, why did this shared - narrative persist? As well as providing a flattering self-image, grounded in tropes of race and class, there were several reasons for its resilience.

Firstly, when assaults did occur, they usually took place at the scene of the crime, inside people’s private fortresses.<sup>6</sup> Consequently, many acts of everyday policing could be framed as lawful: Under South African law, citizens may ‘forcibly confine’ a suspect given ‘reasonable suspicion’ that they are committing, or have committed, a robbery (Criminal Procedures Act 1977, Act 51 and the Criminal Law Amendment Act of 2003, Act 3 and 4). They may also use proportional force in self-defence. These laws are open to fairly broad interpretation. In both cases, there is space for ‘deviance allowed by the rules’ (Brogden and Nijhar 1998:90) - behaviour that would be considered illegal were it not permitted by a legal loophole or a stretched legal definition. When does defence become aggression? When does confinement become assault? Most of the violence exercised by citizens against criminals occurred in this contested area. Geoff provides a good example of this ambiguity. Reflecting on his experiences, Geoff claimed that whilst he would not consider himself a vigilante, his actions had born the marks of vigilantism. The police, however, did not question his claim of self defence.

Secondly, contrary to the experience of Ede and Graeme, most violence was hidden from view inside people’s houses. This invisibility might strengthen people’s negotiation with the police: there were no witnesses presenting and supporting competing interpretations of events or pushing for alternative outcomes (Cooper-Knock 2014). By the same logic, however, such instances

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<sup>6</sup> Not least because thefts were often committed by strangers, who residents could not trace *post facto*.

of violence and negotiated impunity were not heard of by residents, making them appear less prevalent and less possible. Instead, residents were left reading of more publicly controversial cases in the media, where residents had been arrested (Jennifer Interview June 2010). This left residents like Lawrence with the impression that, in Berea, the Police ‘say you cannot take the law into your own hands. But the police in the townships they don’t do anything’. Only residents with long-running relationships with local police, it seems, had a sense of the parameters of impunity they could negotiate.

Edmund, a middle-aged resident, was one such individual. He had recently arrived in Berea from another predominantly white suburb to the north of the city where, he claimed, ‘the only reason that there was no crime... was that I was like a vigilante. If people come and cause trouble you just come with a paintball gun, shoot them with a paintball gun, beat them with a baseball bat, do whatever’. In contrast to the ‘apathetic’ CPF, Barry claimed that he had taken action against the ‘vagrants’ who were the source of local crime.

Barry acted ‘like a vigilante’ in the absence of police action with no legal consequences, but he also recalled times he had acted in close cooperation with them. Sometimes, his actions were reactive. Once, for example, Barry had found two people trying to break into his car. Having shot ‘over their heads’ from the window he called the police. The K9 (dog) unit arrived and together they cornered the suspects at which point, Barry claimed, ‘the cops left the dogs to bite them from [*sic*] a long time before they went and got them’ (Barry interview August 2010).

Elsewhere, he took a more proactive approach. For example, he conducted ‘raids’ on his local beach to ‘confront’ those who had built ‘shelters in the bushes’, explaining: “You have to be that aggressive and that frightening that that person will not come back’ (Barry interview August 2010). Once Barry and his colleagues had confronted the ‘vagrants’, the police would take over. In South Africa, a court order is required to evict people from structures such as those on the beach (RSA 1998, Cooper-Knock 2008). By allowing Barry to enter into the area first, the police were outsourcing both illegal violence and illegal eviction to citizens who would be far harder to trace and hold accountable than uniformed officers.<sup>7</sup>

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<sup>7</sup> It was such instances that led S’bu Zikode, the leader of shack dweller’s movement Abahlali baseMjondolo to declare that, ‘Law or no law, powerful people can always win... they will go and tear down the shacks illegally but on

Clearly, some police allowed or facilitated space outside the law in which citizens could act. However, it was hard for citizens without working relationships with the police to know where these opportunities might emerge and how secure they might be. This served to reinforce a public narrative that depicted police officers as being eager to prosecute vigilante citizens, effectively ensuring that local residents remained law-abiding. This narrative was an unreliable guide to everyday policing in Berea, but an insightful window into subjective understandings of statehood, citizenship, and everyday policing.

## CONCLUSION

Everyday policing in Berea is far more complex than might be thought by those who see only the security architecture of the area. By exploring how people navigate and describe everyday policing in this sector, we better understand ongoing negotiations over security, statehood and citizenship.

Those I spoke to did not trust the state to prevent or resolve crime. The drivers of this mistrust were manifold: some felt that state actors were incompetent, others that these actors were actively obstructive, either because they were economically corrupt, or racially prejudiced. Either way, this produced a sense of alienation from the state, which was often exacerbated by their continued need to harness the bureaucratic authority of the police to verify their victimization. Alienation from one actor or authority, however, does not guarantee allegiance to another. In this case, estrangement from the state did not make reliance on private security any easier. In Berea, those charged with maintaining the security and privilege of local residents also served as a constant reminder of the fears and insecurities that residents sought to ignore or escape. Moreover, whilst it is crucial to recognize citizens' alienation from the state, it is equally important to acknowledge that this alienation was neither linear nor predictable, as the example of the case of Carol demonstrates. Nor was estrangement from the state seen as optimal or acceptable. For all

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the other hand the poor are expected to obey the law', <http://democracyinafrica.org/predictability-everyday-struggles-shack-dwellers-south-africa/>, last accessed on 1<sup>st</sup> November 2014.

their state-like appearance, the economic contracts that private security companies offered were no match for a social one.

Finally, the presence of private security did not preclude citizens from participating in everyday policing, individually or collectively. Firstly, as the informal collectivization of security highlights, private security did not just shape relations between citizens, it was also shaped by them. Secondly, in contrast to the narratives of local residents, some also engaged in policing without the mediation of private security providers. Such acts of policing frequently blurred or overstepped the bounds between legal and illegal violence. Both the discursive framing and empirical negotiation of these policing acts are revealing. Together, these insights highlight the importance of looking behind closed doors (or closed gates) to uncover the subtleties of citizen-state relations in the present, and understand the multitudinous ways in which the putative ‘social contract’ might evolve in the future.

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#### ENDNOTES

<sup>i</sup> However, see Benit-Gbaffou (2008) and Marks and Bonnin (2010).

<sup>ii</sup> All quotes taken from an interview with Geoff and Rachel in July 2010, and an interview with Geoff in June 2013.

<sup>iii</sup> Westville Prison is the local prison in Durban.

<sup>iv</sup> This was still better than the conviction rates in Johannesburg, which stood at 1.93%. Of course, we need to be wary of any uncritical reading of this crime statistics such as these critically, see Altbeker (2007).

<sup>v</sup> Interestingly, the tensions did seem to focus on black, rather than Indian or coloured police.

<sup>vi</sup> *Dompas* was the colloquial name for the passbook that black South Africans were forced to carry during apartheid.

<sup>vii</sup> By the end of the 1980s, private security guards outnumbered state police, around 5:1 (Grant 1989:98; Scharf 1989:212). However, the SAPF was unusually small during this era, largely because homeland forces, special branch and auxiliary forces were excluded from its number (see Cawthra 1994).

<sup>viii</sup> For more on the fear of crime, and its effect on practice, see Lupton and Tulloch (1999); Holloway and Jefferson (2000) and Pain and Shirlow (2003). In South Africa: Judd (1999) and Spinks (2001).

<sup>ix</sup> On the importance of spectacle and statehood, see Wedeen (2009)

<sup>x</sup> Emic term for metal bars over windows and doors to criminal access

<sup>xi</sup> Benit-Gbaffou (2008a:1937; 2008b) talks of a similar ‘Domestic Workers Watch’ in Atholl, Johannesburg.

<sup>xii</sup> Inspired by Hornberger’s (2004) term ‘informal privatisation’ used to describe the behaviour of inner-city residents in Johannesburg who seek to capture the services of police officials for their own ends.

<sup>xiii</sup> See Posel (2004) and Oomen (2004) on alternative visions of citizenship driving everyday policing.



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## INTERVIEWS

Carol. Berea Resident, June 2010.

David. Berea Resident, June 2011.

Duncan. Berea Resident, July 2010.

Geoff. Berea Resident, June 2013.

----- and Rachel. Berea Residents, July 2010.

Isaac. Berea Resident, June 2010.

Johannes. Berea Police, June 2011.

John. Berea Resident, August 2010.

Lawrence. Berea Resident, July 2010.

Lionel, Berea Resident, July 2011.

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Lola. Berea Resident, July 2011.

Lorna. Berea Resident, July 2010.

Nancy. Berea Resident, July 2011.

Patricia. Berea Resident, July 2011.

Peter. Berea Resident, June 2010.

———. Berea Resident, August 2011.

Phumzile. Chatsworth Domestic Worker, June 2013.

Ronald. Chatworth and Town Guard, June 2013.

Sally. Berea Resident, August 2011.

Sifiso. Berea Guard, May 2013.

Shemi. Chatsworth Resident, June 2013.

Sylvia. Berea Resident, July 2010.

Tom. Berea Resident, July 2011.